

III. REMARKS

1. Claims 17-20 are new.

2. Claims 1-3 and 6-9 are not unpatentable over Honkasalo in view of Li and Suzuki (EP 0813314). In the prior action, the Examiner cited Honkasalo and Li against claims 1-3 and 6-9. Applicant's arguments concerning the deficiencies of Honkasalo and Li are reasserted and incorporated herein by reference. (Paper No. 17, September 19, 2003).

Suzuki does not overcome the deficiencies of Honkasalo and Li previously noted. Suzuki is different from Applicant's invention because Suzuki deals with a CDMA receiver that includes power detectors for receiving a spread spectrum signal for detecting the power levels of user channels. (Abstract, lines 1-5). In Applicant's invention, the downlink data block information is transmitted on the transmission power level. One of the blocks comprises information on the transmission power level of a certain block or coming blocks, and the information in question is not the power level measured at the receiving end as in Suzuki.

Suzuki relates to an arrangement where a segmentation of a CDMA signal into certain types of data blocks is implemented at the terminal, and a header is added to each block. For the header in question, a numeric sequence of channels describing the power levels is determined. (Col. 1, lines 37-48). As shown in FIG. 4a, information on the power level of the received channel is determined. (Col. 8, lines 15-42).

Suzuki is not dependent on the transmission end of the downlink. All of the functions in Suzuki are determined at or in the

receiving end. (Col. 1, lines 37-42; see also FIG. 2). On the basis of the received signal, information is formed in the receiver for the header. "The present invention segments an incoming CDMA signal into time-compressed data blocks and appends a header to each data block." (Col. 4, lines 20-23, emphasis added). In Suzuki, there is no information concerning the power level being transmitted from the transmission end as in Applicant's invention.

The Examiner refers to Col. 4, lines 20-29 as teaching that a block has information on the transmission power level. This is not correct. Suzuki talks about segmenting an incoming CDMA signal into data blocks. Suzuki then takes this segmented incoming signal (data blocks) and appends a header to each data block. Clearly, according to Suzuki, this action is taking place at the receiver end. There is absolutely no disclosure in the portion referred to by the Examiner, or anywhere else in Suzuki, that the transmission power level (not the received power level) is transmitted in the downlink block information.

Furthermore, Suzuki is related to a completely different problem than the problem facing Applicant. Suzuki looks to minimize memory usage in the implementation of the terminal end. (Col. 1, lines 1-36). Applicant deals with downlink blocks that include information on the power level used in the transmission end. Thus, for purposes of 35 U.S.C. §103(a), there is no motivation to modify or look to Suzuki to achieve Applicant's invention, or to combine it with Honkasalo and Li.

In Applicant's invention as recited in claims 1, 8 and 9, the information that is transmitted includes "information (PR) on the transmission power level of said one block". This is not disclosed or suggested by the combination of Honkasalo, Li and

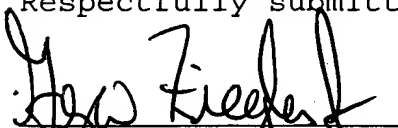


zuki. Thus, claims 1, 8 and 9 cannot be disclosed or suggested by the proposed combination and should be allowable. Claims 2-7 and 13-16 should be allowable at least by reasons of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$950 is enclosed for a three-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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15 June 2004
Date

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